



Town of Berwyn Heights

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MAYOR
Amanda M. Dewey

COUNCIL MEMBERS
Jodie A. Kulpa-Eddy (Mayor Pro Tem)
Christopher S. Brittan Powell
Jason W. Papanikolas
Ethan D. Sweep

ORDINANCE 185 – FY 2023 TOWN BUDGET

FOR the purposes of adopting the Town Operating Budget, General Fund, American Rescue Plan Act Fund, Infrastructure Improvement Reserve Fund, Vehicle and Equipment Replacement Reserve Fund, Public Safety Reserve Fund, Cable Television Public, and Educational and Governmental (PEG) Access Reserve Fund, budgets for the Town of Berwyn Heights for Fiscal Year 2023; appropriating funds for the expenditures for Fiscal Year 2023; establishing appropriation limits at the fund level; defraying all expenses and liabilities of the Town of Berwyn Heights and levying same for the purposes specified; and establishing real estate and personal property tax rates for Fiscal Year 2023, beginning July 1, 2022, and ending June 30, 2023, inclusive, and specifying a rate of interest and penalty to be charged upon overdue-property taxes.

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, the Fiscal Year 2023 General Fund Town Budget was presented at Council Work Sessions in February, March and April 2022, and

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, the Fiscal Year 2023 General Fund Town Budget was presented and discussed at the Town Meeting on April 13, 2022 and May 11, 2022, and

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, the Fiscal Year 2023 Budget was made available to Town residents prior to and at the Town Meeting on April 13, 2022 and May 11, 2022, and

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, a properly advertised public hearing on the Fiscal Year 2023 General Fund Budget was held on April 13, 2022, and May 11, 2022.

NOW, THEREFORE:

SECTION 1. BE IT ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following budgets and fund-level appropriation limits, as approved by the Council for the General Fund, American Rescue Plan Act Fund, Infrastructure Improvement Reserve Fund, Vehicle and Equipment Replacement Reserve Fund, Public Safety Reserve Fund, Cable Television Public, and Educational and Governmental (PEG) Access Reserve Fund, and the same are hereby adopted at the indicated fund levels for the Town of Berwyn Heights, Maryland, for Fiscal Year 2023, beginning July 1, 2022, and ending June 30, 2023, inclusive.

SECTION 2. GENERAL FUND:

- A. AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL** that the following revenues are, in the considered judgment of the Town Council, a fair appraisal and estimate of the revenues available to finance this budget and these appropriations for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive:

Source	Estimated Revenues
Real Estate Taxes	\$2,108,400
Real Estate Taxes – Road Repair Fund	122,000
Personal Property Taxes	220,000
Personal Property Tax – Road Repair Fund	12,320
Income Tax	400,000
Refuse and Recycling Collection Fee	0
Licenses and Permits	128,900
Intergovernmental	204,900
Service Charges	100
Fines and Forfeitures	105,000
Miscellaneous Revenues	105,700
<u>Fund Balance & Reserves</u>	<u>412,745</u>
TOTAL GENERAL FUND REVENUE:	\$3,820,065

- B. AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL** that the following sums and amounts shall be and hereby are appropriated for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive, the said revenues being used to defray expenses and operations of the Town of Berwyn Heights for the General Fund:

<u>Account Name</u>	<u>Approved Budget and Appropriation</u>
General Government	\$497,200
Public Safety	904,100
Code Compliance	190,100
Public Works	873,500
Parks & Recreation	40,150
Cable	26,200
Miscellaneous	719,615
Capital Projects Operating	569,200
<u>Capital Projects: Reserve</u>	<u>0</u>
TOTAL GENERAL FUND APPROPRIATION:	\$3,820,065

SECTION 3. AMERICAN RESCUE PLAN ACT FUND

- A. AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL** that the following revenues are, in the considered judgment of the Town Council, a fair appraisal and estimate of the ARPA Funding

needed to finance this budget and these appropriations for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive:

Source	Estimated Revenues
ARPA	\$405,600
TOTAL ARPA FUND REVENUE:	\$405,600

- B. AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL** that the following sums and amounts shall be and hereby are appropriated for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive, the said revenues being used to defray expenses and operations of the Town of Berwyn Heights for the ARPA Fund:

<u>Account Name</u>	<u>Approved Budget and Appropriation</u>
Mental and Physical Health Support	\$25,000
Emergency Assistance	\$65,000
Educational Growth	\$75,000
Reducing Flooding/Stormwater	\$175,000
Employee Health and Safety	\$65,600
TOTAL ARPA FUND APPROPRIATION:	\$405,600

SECTION 4. RATE OF TAXATION ON REAL PROPERTY:

BE IT ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that a tax rate of fifty-four and a half cents (\$0.545) on each one hundred dollars (\$100) of assessable property in the Town of Berwyn Heights be and the same is hereby imposed on all assessable property for the fiscal year beginning July 1, 2022 and ending June 30, 2023, to be collected pursuant to the provisions contained in Section 604 of the Charter of the Town of Berwyn Heights and all other provisions pertaining to tax levies in said Charter, the said tax rate of (\$0.545) on each one hundred dollars (\$100) shall be used for the operation of the General Fund Budget.

SECTION 5. RATE OF TAXATION ON PERSONAL PROPERTY:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that a tax rate of one dollar thirty-two and a half cents (\$1.325) on each one hundred dollars (\$100) of assessable personal property in the Town of Berwyn Heights be and the same is hereby imposed on all assessable property for the fiscal year beginning July 1, 2022 and ending June 30, 2023, to be collected pursuant to the provisions contained in Section 604 of the Charter of the Town of Berwyn Heights and all other provisions pertaining to tax levies in said Charter, the said tax rate of one dollar thirty-two and a half cents (\$1.325) on each one hundred dollars (\$100) shall be used for the operation of the General Fund Budget.

SECTION 6. INFRASTRUCTURE IMPROVEMENT RESERVE FUND ASSESSMENT:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that three cents (\$.03) of each one hundred dollars (\$100) of assessed

property in the Town of Berwyn Heights and seven and a half cents (\$0.075) per one hundred dollars (\$100) of assessed personal property valuation shall be appropriated to the Infrastructure Improvement Reserve to be used to install, improve, repair, or reconstruct roads, curbs, gutters, sidewalks, street signs, traffic control markings and devices and any other Town infrastructure; and

SECTION 7. REFUSE AND RECYCLING COLLECTION FEE:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that a fee of zero dollars (\$0) shall be assessed for each non-commercial residential dwelling unit, including each unit of rental property, in the Town of Berwyn Heights and same shall be appropriated to the General Fund and shall be used to defray the expenses related to refuse and recycling collection and disposal.

SECTION 8. INFRASTRUCTURE IMPROVEMENT RESERVE FUND:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following sums and amounts shall be and hereby are appropriated for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive, the said revenues being used to defray expenses and operations of the Town of Berwyn Heights for the Infrastructure Improvement Reserve Fund to be used to install, improve, repair, or reconstruct roads, curbs, gutters, sidewalks, street signs, traffic control markings and devices and any other Town infrastructure

	<u>Approved Budget and Appropriation</u>
Governmental Grants-in-aid	\$148,900
Real Estate Tax	122,000
<u>Personal Property Tax</u>	<u>12,320</u>
TOTAL FUNDS AVAILABLE	\$283,220
 Transfer from Infrastructure Improvement Reserve:	 \$30,000

SECTION 9. VEHICLE AND EQUIPMENT REPLACEMENT RESERVE FUND:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following sums and amounts shall be and hereby are appropriated for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive, the said revenues being used to purchase Town vehicles and equipment:

	<u>Approved Budget and Appropriation</u>
For transfer from Vehicle & Equipment Reserve to General Fund Capital Projects: Operating:	 \$139,000

SECTION 10. VEHICLE AND EQUIPMENT REPLACEMENT RESERVE FUND:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following sums and amounts shall be and hereby are transferred from the General Fund for the fiscal year beginning July 1, 2022 and ending June 30, 2023,

inclusive, to the Vehicle and Equipment Replacement and Reserve Fund, said fund to be used for the future purchase of Town vehicles and equipment:

	<u>Amount</u>
For transfer from General Fund to the Vehicle and Equipment Replacement Reserve Fund:	\$120,550

SECTION 11. CABLE TELEVISION PEG ACCESS RESERVE FUND:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following sums and amounts shall be and hereby are appropriated for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive, the said revenues being used to defray expenses and operations of the Town of Berwyn Heights Cable Television PEG operations:

	<u>Approved Budget and Appropriation</u>
For transfer from Cable TV PEG operations Fund	
To the General Fund:	
Comcast PEG	\$7,500
Verizon PEG	<u>14,300</u>
TOTAL FUNDS AVAILABLE	\$21,800

Transfer from Cable Reserve Account to General Fund: \$108,300

SECTION 12. BE IT FURTHER ORDAINED that the taxes levied by this Ordinance remaining unpaid on October 1, 2024 shall be overdue, and from and after that date shall bear interest, to be collected with said taxes, at the rate of two-thirds of one percent for each month or fraction of a month and a penalty of thirty dollars for each month or fraction of each month until paid. The Town may place a lien on the personal property and on the real property of the owners of the personal property to collect unpaid personal property tax and any applicable penalty and interest.

SECTION 13. BE IT FURTHER ORDAINED that this General Fund Town Budget ensures more than adequate funds are maintained in the Town's Assigned and Unrestricted Fund Balances in a manner consistent with Resolution 5-2022 Reserve Policy.


NOW, THEREFORE, BE IT ORDAINED that the Town Council of the Town of Berwyn Heights does hereby adopt this budget with a supporting real property tax rate of rate of fifty-four and a half cents (\$0.545) per one hundred dollars (\$100) of assessed valuation of real property and one dollar and thirty-two point five cents (\$1.325) per one hundred dollars (\$100) of valuation of personal property for Fiscal Year 2023, beginning July 1, 2022, and ending June 30, 2023, inclusive.

AND BE IT FURTHER ORDAINED that if any section or provisions or parts of this Ordinance shall be adjudicated to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of this Ordinance as a whole or any other section or provision or part thereof.

AND BE IT FURTHER ORDAINED by the Town Council of the Town of Berwyn Heights, that this Ordinance shall become effective on the 1st day of June 2022, after having been read at two successive Town Meetings on April 13, 2022 and May 11, 2022, pursuant to Section 311 of the

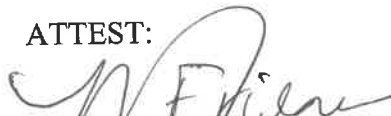
Berwyn Heights Charter, unless within twenty days (20) after its passage a Referendum Petition is filed with the Town Manager. If such a Petition is filed, this Ordinance shall be held in abeyance pending the outcome of a special election.

By the Order of Mayor and Town Council



Mayor Amanda M. Dewey
Town of Berwyn Heights

ATTEST:



Melanie Friesen, Town Clerk
Date
Adopted: May 11, 2022
Effective: June 1, 2022